

PLAINTIFF'S EXHIBIT

MAR-34

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
CIVIL SECTION: TRIAL DIVISION

JAMES I. ALBRIGHT,	:	JANUARY TERM, 2001
	:	
	:	
vs.	:	NO. 0269
	:	
	:	
A.P. GREEN INDUSTRIES, INC., et al.	:	ASBESTOS CASE

DEFENDANT MAREMONT'S RESPONSES TO PLAINTIFF'S
INTERROGATORIES AND REQUESTS FOR PRODUCTION - SET I

PRELIMINARY STATEMENT

Maremont Corporation ("Maremont"), One Noblitt Plaza, Columbus, Indiana 47201, incorporated in the State of Delaware, is primarily engaged in the manufacture and distribution of automotive exhaust systems, shock absorbers, MacPherson struts and related hardware and parts.

On or about December 15, 1953, Maremont purchased the assets of a company in Paulding, Ohio known as Grizzly Manufacturing Company ("Grizzly"). Grizzly manufactured friction products, including brake linings, clutch facings and lined brake shoes. Maremont sold this division on or about June 30, 1977, to Nuturn Corporation, a wholly-owned subsidiary of Turner and Newall, Ltd., except for a 20% interest, which was retained by Maremont. The

remaining 20% interest was sold to Nuturn on or about April 23, 1982.

Soon after the purchase of Grizzly by Nuturn, Nuturn closed the Paulding facility and transferred the operation to a facility in Smithville, Tennessee. At this time, Maremont does not have in its employ any person or persons who previously worked at the Paulding facility. Furthermore, it appears that very few Maremont employees continued employment with Nuturn.

Very little documentation exists within Maremont concerning the Paulding, Ohio operation. Any documentation pertaining to the site that was not discarded by Nuturn upon its move to Smithville would presumably be under the custody and control of Nuturn Corporation, now known as Ferodo.

GENERAL OBJECTIONS

1. Maremont objects to plaintiff's interrogatories and document requests on the grounds that they are overbroad, vague, unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's interrogatories and documents requests have been propounded indiscriminately to every defendant without any attempt to tailor them to any individual defendant. Without waiving this objection and subject to the objections that follow, Maremont is providing information in response to plaintiff's interrogatories and document requests.

2. Maremont objects to plaintiff's interrogatories and document requests on the grounds that they improperly attempt to shift the burden of establishing product identification and causation from plaintiff to Maremont.

3. Maremont objects to plaintiff's interrogatories and document requests to the

extent they seek information relating to sales of asbestos-containing products by Maremont to any entity or entities other than entities specifically identified by plaintiff as having been in the chain of distribution of an asbestos-containing product from Maremont to plaintiff or plaintiff's employers.

4. Maremont objects to plaintiff's interrogatories and document requests to the extent they seek information protected from discovery by the attorney-client privilege or the work product doctrine.

5. Maremont objects to plaintiff's interrogatories and document requests to the extent they seek disclosure of information generated by persons other than Maremont that has come into the possession of Maremont's counsel during the course of discovery and trial preparation in asbestos-related litigation.

6. Maremont objects to plaintiff's interrogatories and document requests to the extent they seek information relating to products of other companies.

7. Maremont objects to plaintiff's interrogatories and document requests to the extent they seek information subsequent to Maremont ceasing production of any asbestos-containing product.

8. Maremont objects to plaintiff's interrogatories and document requests to the extent they seek information that is not under Maremont's custody or control or which is within the public domain or otherwise equally available to plaintiff as to Maremont.

9. Many of the events about which plaintiff's interrogatories and document requests inquire occurred forty or more years ago. Accordingly, each response that follows is qualified by the fact that through the passage of time, information and documents that once existed may no

longer be available.

10. Maremont does not concede that any of its responses to plaintiff's interrogatories and document requests are or will be admissible evidence at a trial of this action, and Maremont does not waive any objection, on any ground, whether or not asserted herein, to the use of any such answer at trial.

11. Maremont objects to plaintiff's interrogatories and document requests on the grounds that the term "asbestos product" is so broad, vague, ambiguous, uncertain, and calls for speculation, that Maremont cannot determine the precise nature of the information sought, and therefore cannot respond without an unreasonable risk of inadvertently providing a misleading, confusing, inaccurate, or incomplete response.

12. To the extent applicable, Maremont incorporates by reference each of its objections in each response that follows and reserves the right to amend or supplement its responses to plaintiff's interrogatories and document requests to reflect information which may become available to it up until the time of trial.

RESPONSE TO INTERROGATORY NO. 1:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont states that much of the information sought by these interrogatories has been accumulated over time but not for purposes of responding to these interrogatories. It is not possible to now identify each person who, at some time, may have provided information that is now being used to answer these interrogatories. No single employee, officer, or agent of the company has direct knowledge of the documents and information necessary to supply each and every response. The person signing these interrogatories does so to satisfy whatever

requirements may exist under the applicable Rules of Civil Procedure. The person does not, however, have direct knowledge regarding any specific answer, but is informed that the review of the documents and discussions referred to above support the answers based upon the information available as to the date of signature.

RESPONSE TO INTERROGATORY NO. 2:

See response to interrogatory no. 1.

RESPONSE TO INTERROGATORY NO. 3:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to Maremont's responses to plaintiff's requests for documents.

RESPONSE TO INTERROGATORY NO. 4:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the general and specific objections, and without waiving same, Maremont responds: yes, and refers plaintiff to the Preliminary Statement preceding these responses.

RESPONSE TO INTERROGATORY NO. 5:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the general and specific objections, and without waiving same, Maremont responds: yes, and refers plaintiff to the Preliminary Statement preceding these responses. Maremont further refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 6:

See general objections. Maremont also objects to this interrogatory on the

grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the general and specific objections, and without waiving same, Maremont responds: yes, and refers plaintiff to the Preliminary Statement preceding these responses. Maremont's former subsidiary, Grizzly, operated a facility in Paulding, Ohio. The products were intended to be used as replacement parts for automotive vehicles, and the generic name of the described products is self explanatory. It used trade names such as Grizzly, Ultra, Leland, Hyper, All-in-One, Over-the-Counter, Saftigrip and Silvertip, X-T Woven, Syncro, SS Metallic and Tru-Gard. Based upon available information, components of at least a portion of such products were:

Asbestos, 5R	Linseed Oil
Asbestos, 6D	Mineral Spirits
Asbestos, 7D	Oxide, Brown
Asbestos, 7M	Oxide, Red
Asbestos, 8T	Resin, Bakelite 5095
Barium ferrite	Resin, Borden 774-113
Barytes, Bleached	Resin Monsanto 6823
Barytes, Unbleached	Resin, Schenectady 868
Carbon, Black	Resin, Varcum 6019A
Cashew Particles	Rubber Dust
Cast Iron Dust	Seacoal
Emergy Flour	Silica
Hexamethylenetetramine	Sulfur
Lime	Talc

Maremont has insufficient knowledge or belief to further respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 7:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 8:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing

Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: no.

RESPONSE TO INTERROGATORY NO. 9:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows: Grizzly products were sold to Sears Roebuck & Company ("Sears"), who rebranded the products and sold them under the Sears brand name. Maremont has insufficient knowledge or belief to respond further to this interrogatory and refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 10:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 11:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to Maremont's responses to plaintiff's document requests and responds that known Grizzly suppliers were: Asbestos Corporation Limited, Bell Asbestos Mines, Ltd., Cassiar Asbestos Corp., Ltd., Ural Asbestos (purchased from Huxley Development Corporation), Atlas Asbestos Corporation, Hedman Mines, Ltd., Johns-Manville Corporation and Vermont Asbestos Group. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

RESPONSE TO INTERROGATORY NO. 12:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing

Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to Maremont's responses to plaintiff's document requests and has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 13:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 14:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: no.

RESPONSE TO INTERROGATORY NO. 15:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 16:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 17:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: no.

RESPONSE TO INTERROGATORY NO. 18:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 19:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows: Grizzly products were packaged in either white cardboard or brown cardboard boxes. The boxes had either the Grizzly label on the outside or not, depending on the arrangement with the customer. With respect to brake products sold to Sears, prior to 1973 all Sears cartons were plain white with a label. From 1973 to 1976, there was a running change made to the OTC carton with a man working on a car. AIO products were still packaged in plain white boxes with a label. From 1976 to 1977, there was a running change made to the OTC products and the AIO products with a stop sign or a stop light on the carton.

Based upon available information, the appropriate prescribed OSHA warning accompanied brake products. The exact wording of each warning read:

Caution

Contains Asbestos Fibers

Avoid Creating Dust

Breathing Asbestos May Cause Serious Bodily Harm

Such warning appeared on the box containing the product or inside of the box. Maremont has insufficient knowledge or belief to respond further to this interrogatory and refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 20:

See general objections. Maremont also objects to this interrogatory on the

grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 21:

See response to interrogatory no. 20.

RESPONSE TO INTERROGATORY NO. 22:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds that it did at one time prepare a report for Sears regarding the proper installation of brakes, including recommending the use of ventilation and personal protective equipment under appropriate circumstances. ("Asbestos Exposure vs. Back Shop Brake Shoe Grinding" prepared by W.M. Bockay for J.H. Batogowski.) Maremont has insufficient knowledge or belief to respond further to this interrogatory and refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 23:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers to its response to interrogatory no. 19 and has insufficient knowledge or belief to respond further to this interrogatory.

RESPONSE TO INTERROGATORY NO. 24:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to its response to interrogatory no. 8 and has insufficient knowledge or belief to further respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 25:

See response to interrogatory no. 19.

RESPONSE TO INTERROGATORY NO. 26:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory and refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 27:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 28:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows: Maremont does not know when it first became aware of the creation of "airborne dust containing some asbestos fibers." However, it was a matter of general knowledge from the 1960s onward that prolonged exposure to airborne asbestos could possibly be harmful. The initial knowledge in this area pertained to asbestos mining operations. Maremont had no knowledge as to any specific harmful effects on any employee engaged in the manufacture of brake lining products or for any specific Grizzly employee.

RESPONSE TO INTERROGATORY NO. 29:

See response to interrogatory no. 28.

RESPONSE TO INTERROGATORY NO. 30:

See response to interrogatory no. 28.

RESPONSE TO INTERROGATORY NO. 31:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 32:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and calls for a legal conclusion. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: contentions can only be formulated when discovery is completed. At the present time, Defendant Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right to supplement this response upon completion of this review and of further discovery.

RESPONSE TO INTERROGATORY NO. 33:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 34:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same,

Maremont states that it knows it had associations with the Asbestos Information Association, the Friction Materials Standards Institute, the Automotive Parts and Accessories Association, the Motor Equipment Manufacturers Association and the Automotive Service Industry Association. Maremont has insufficient knowledge or belief to respond further to this interrogatory and refers plaintiff to Maremont's responses to plaintiff's document requests.

RESPONSE TO INTERROGATORY NO. 35:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 36:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 37:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 38:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 39:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not

reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 40:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 41:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to Maremont's responses to plaintiff's requests for documents.

RESPONSE TO INTERROGATORY NO. 42:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO INTERROGATORY NO. 43:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiff to its response to interrogatory no. 8 and has insufficient knowledge or belief to further respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 44:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 45:

No response is required.

RESPONSE TO INTERROGATORY NO. 46:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and calls for a legal conclusion. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: contentions can only be formulated when discovery is completed. At the present time, Defendant Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right to supplement this response upon completion of this review and of further discovery.

RESPONSE TO INTERROGATORY NO. 47:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous in that there is no interrogatory no. 45(a) or 45(b), not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and calls for a legal conclusion. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has not determined yet what witnesses it may call at trial. Maremont will supplement this response at such time, or in accordance with a scheduling order or agreement between the parties.

RESPONSE TO INTERROGATORY NO. 48:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and calls for a legal conclusion. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: contentions can only be formulated when discovery is completed. At the present time, Defendant Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right

to supplement this response upon completion of this review and of further discovery.

RESPONSE TO INTERROGATORY NO. 49:

See general objections. Maremont also objects to this interrogatory to the extent it seeks disclosure of information protected by the applicable privileges and immunities, and on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence, and calls for a legal conclusion. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds: contentions can only be formulated when discovery is completed. At the present time, Defendant Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right to supplement this response upon completion of this review and of further discovery.

RESPONSE TO INTERROGATORY NO. 50:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

RESPONSE TO INTERROGATORY NO. 51:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overly broad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds that to the best of its belief, no one has ever testified at trial on its behalf. The following persons are known to have been deposed:

Byron Pond
Kenneth Cornelius
Charles Burkhead

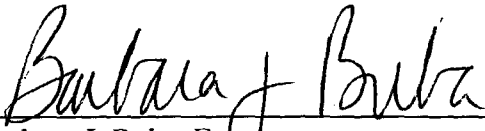
Mr. Pond's deposition took place on January 13, 1984 in Chicago, Illinois. Mr. Cornelius's deposition took place on November 10, 1983 in Chicago, Illinois. Mr. Burkhead's deposition took place on May 3, 1988 in Newark, New Jersey. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

RESPONSE TO INTERROGATORY NO. 52:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont has insufficient knowledge or belief to respond to this interrogatory.

WILBRAHAM, LAWLER & BUBA

By:


Barbara J. Buba, Esquire
Attorneys for Defendant Maremont

Date: July 2, 2001